

SN. 10/787,534

ATTORNEY DOCKET No. YAMA:065

IN THE DRAWINGS

Applicants submit replacement Fig. 6 that now includes the legend "Prior Art," as requested by the examiner.

SN. 10/787,534

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REMARKS

Claims 3 and 5 are now pending in this application for which applicants seek reconsideration.

Amendment

Enclosed replacement Fig. 6 overcomes the drawing objection. Claims 1, 2, and 4 have been canceled. Claim 3 and 5 have been amended to more clearly define the present invention, as well as to improve their readability and form. Also the superfluous term "particularly" has been deleted. Claim 3 has been placed in independent form. Claim 5 has been amended to substantially parallel claim 3. The preamble of claim 5 has been changed to read as --A computer-readable storing device storing a computer program ...--. Moreover, all references to method steps have been removed from claim 5 to improve its form. No new matter has been introduced.

Art Rejection

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as anticipated by Tice (USPGP 2002/0004191). Applicants traverse this rejection at least to the extent that Tice would not have anticipated claim 3.

Claim 3 calls for displaying model music data containing (A) performance data representing a musical performance which coincides with a music score of a model music piece for practice, (B) performance data particularly prepared for playing back tones of the model music piece for practice, and (C) a music score to be displayed for practice. As claimed, when the practice mode is switched OFF, performance data (B) is taken out, and when the practice mode is switched ON, performance data (A) for at least one of practice or evaluation is taken out. Claim 5 similarly calls for these features.

While Tice indeed discloses an interactive music training system, applicants submit that Tice would not have disclosed or taught taking out performance data from model music data containing the data (A)-(C).

SN. 10/787,534

ATTORNEY DOCKET NO. YAMA:066

Conclusion

Applicants submit that claims 3 and 5 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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02/15/06

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